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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,044	09/24/2003	Tateo Kawamura	JP920020131US1(1108720012	6706
45726	7590	04/17/2009		
Caesar, Rivise, Bernstein, Cohen & Pokotilow Ltd. 11th Floor, Seven Penn Center Philadelphia, PA 19103			EXAMINER	
			PESIN, BORIS M	
			ART UNIT	PAPER NUMBER
			2174	
			MAIL DATE	DELIVERY MODE
			04/17/2009	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/671,044

**Applicant(s)**

KAWAMURA ET AL.

**Examiner**

BORIS PESIN

**Art Unit**

2174

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 26-33 and 38-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26-33 and 38-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

This communication is responsive to the amendment filed 11/19/2008.

Claims 26-33 and 38-40 are pending in this application. Claims 26 and 38 are independent claims. In the amendment filed 11/19/2008, claims 30-32 were amended. This action is made Non-Final because the Applicant correctly submitted a certified English translation of the foreign application.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 26-33 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Newman et al. (US 7243125) in view of Smith (US 6792448).

In regards to claim 26, Newman teaches a processor-implemented document display system, comprising:

means for extracting a relationship between a plurality of documents in a group of documents (See Abstract);

selecting the relationship, the group of documents associated with the relationship, and an expansion condition for each document of the group of documents (See Abstract and Figure 6, Element 606);

forming a section group that includes the group of documents selected according to the relationship (See Abstract and Figure 6, Element 606);

generating a virtual document from the group of documents (See Abstract, *"determines the conversational relationships among messages and then structures and formats the core components into a single document to facilitate efficient assimilation of the structure and content of the contained conversations"*).

Newman does not specifically teach identifying an association between the documents in a thread in the virtual document, as a tree structure; and selectively realizing the expansion condition of the thread in the virtual document, based on the tree structure. Smith teaches, identifying an association between the documents in a thread in the virtual document, as a tree structure (See Figure 3, Element 42, the conversation is formed into a tree structure); and selectively realizing the expansion condition of the thread in the virtual document, based on the tree structure (See Figure 3, Elements 43, 80, 82, 84, and 86, the user is able to either expand or contract any branch of the tree regardless of the content.) It would have been obvious to one of

ordinary skill in the art at the time of the invention to modify Newman with the teachings of Smith and include a method to present a document as a tree structure and provide the user with the ability to expand or contract any portion of the tree with the motivation to provide the user a more robust messaging system where the user is easily able to follow the thread of the conversation and quickly remove any information that is superfluous.

In regards to claim 27, Newman-Smith teaches a system according to claim 26, wherein the virtual document generation means forms the section group by embedding a document header and a level indicating a depth of hierarchy from a main document (See Newman Column 4, Line 44-Column 5, Lines 6).

In regards to claim 28, Newman-Smith teaches a system according to claim 26, wherein the related information storage means stores information of a parent document related to the document read from a document storage means (Newman Column 7, Lines 4-20).

In regards to claim 29, Newman-Smith teaches a system according to claim 26 wherein the extracted relationship comprises a hierarchical relationship (Newman Column 7, Lines 4-20, "analysis is achieved by a procedural, top-down recursive dissent analyzer").

In regards to claim 30, Newman -Smith teaches the system according to claim 26, wherein the extracted relationship comprises a thread; and wherein the group of documents forms a message (See Newman Abstract).

In regards to claim 31, Newman-Smith teaches the system according to claim 30, further comprising: an expansion condition storage unit for storing an expansion condition of the message, wherein the virtual document generation unit generates a section by fetching an expansion condition of the message from the expansion condition storage unit (See Newman Figure 5, "Link to response").

In regards to claim 32, Newman-Smith teaches the system according to claim 23, further comprising: a user interactive processing unit for accepting an expansion request to a header from a user, wherein the virtual document generation unit is used to add the message to the virtual document on the basis of the expansion request accepted by the user interactive processing unit (See Newman Figure 5, when "Link to response" is activated, the appropriate message will be displayed and thus added to the virtual document).

In regards to claim 33, Newman-Smith teaches the system according to claim 31, wherein the documents in the messages comprise a collection of documents that are unscheduled for editing (See Newman Figure 5, none of the messages are scheduled for editing, they are all received messages).

Claims 38-40 are similar in scope to claims 26, 31, and 32; therefore they are rejected under similar rationale.

### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BORIS PESIN whose telephone number is (571)272-

4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Boris Pesin/  
Examiner, Art Unit 2174